

# **EXHIBIT 1**

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**Sent:** Monday, May 20, 2024 11:56 AM

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**Subject:** RE: [EXT] RE: PSC Letter to Court re: Newly Published Study

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Dear Judge Singh:

On Friday, May 17, 2024, Ms. Sharko reached out to Co-Lead Counsel to request an extension for filing Defendants' general causation expert reports in light of the recent publication by O'Brien, et al. in the Journal of Clinical Oncology. These updated results and findings from the Sister Study revealed a positive association between genital talc use and ovarian cancer which was consistent with previous studies over the decades and were consistent with the opinions expressed by those experts testifying on behalf of Plaintiffs.

Ms. Sharko requested until June 14, 2024, to submit Defendants' expert reports, an extension of nearly 3 weeks. The Court-ordered deadline is tomorrow, May 21<sup>st</sup>. This adjustment as proposed by J&J would up-end the *Daubert* deadlines. Moreover, by J&J's admission, a 3-week extension would result in the disruption of 7 defense expert depositions previously calendared.

The parties met and conferred on Friday the 17<sup>th</sup> of May. Plaintiffs' position, of which we advised Ms. Sharko on Sunday, May 19<sup>th</sup>, is as follows:

- Plaintiffs' experts: Supplemental expert reports served by May 28<sup>th</sup>. No additional depositions. The depositions of all plaintiffs' experts were completed last week.
- Defendants' experts: Expert reports served by May 28<sup>th</sup>. The depositions of Defendants' experts would go forward on the dates previously agreed upon except for the depositions of Drs. DiFeo and Punjabi which would need to be rescheduled to accommodate as they were confirmed for May 28<sup>th</sup> and May 30<sup>th</sup>.
- No change to the *Daubert* deadlines as ordered by the Court.

This morning, we received a counterproposal from Ms. Sharko staggering the deadlines: Plaintiffs' expert reports due on May 28<sup>th</sup>; Defendants' expert reports due on May 31<sup>st</sup>. Defendants have not served expert reports in the MDL since February 2019. Plaintiffs have been required to serve expert reports 2 times since Defendants' first reports. For this reason, the parties should serve their respective reports on May 28<sup>th</sup> simultaneously.

We believe Plaintiffs' proposal allows the parties sufficient time to address the new study, while preserving the Court-ordered deadlines.

Thank you for your consideration of these matters.

Respectfully submitted,  
Michelle Parfitt  
Leigh O'Dell

**P. Leigh O'Dell**

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